Document 65

Filed 03/31/2008

Page 2 of 8

1415

Case 4:07-cv-06118-CW

1617

18 19

2021

22

2324

2526

2728

PLAINTIFFS' REVISED STIPULATED MOTION AND [PROPOSED] ORDER TO CHANGE CLASS CERTIFICATION HEARING AND BRIEFING DATES

Plaintiffs and Defendant (the "Parties") in the above-captioned direct purchaser class cases hereby stipulate to, and respectfully seek, a change of the dates of the class certification hearing and briefing established by the December 12, 2007 Case Management Order.

The Parties seek to delay the class certification briefing schedule by just over one month. Under the new class certification schedule: (1) Plaintiffs' opening motion and brief would be due May 5, 2008; (2) Defendant's response would be due June 16, 2008; (3) Plaintiffs' reply would be due July 14, 2008; and (4) oral argument would be scheduled for Thursday, August 7, 2008, at 2:00 p.m.

None of these changes affects the intervals between briefs, nor does the proposal alter the interval between the close of briefing and the proposed hearing date. Additionally, the parties agree that no other dates in the Court's schedule for these cases, or for any of the related Norvir

- 2 -

Document 65

Filed 03/31/2008

Page 3 of 8

Case 4:07-cv-06118-CW

	Case 4:07-cv-06118-CW	Document 65	Filed 03/31/2008	Page 4 of 8
1 2 3 4 5 6 7 8	IRELL & MANELLA, LLP By:/s/Alex Wiles Alexander Frank Wiles Alexander Frank Wiles awiles@irell.com 1800 Avenue of the Stars, Sui Los Angeles, CA 90067-4276 Telephone: (310) 277-1010 Facsimile: (310) 203-7199 Attorneys for Plaintiff Smithkle Corporation d/b/a GlaxoSmith	te 900 line Beecham	cmk@slksf.com Wayne M. Liao (Stawml@slksf.com 388 Market Street, S San Francisco, Calif Telephone: (415) Facsimile: (415) Attorneys for Individe	State Bar No. 73377) Ate Bar No. 66591) Suite 900
10				
11				
12				
13				
14				
15 16				
17				
18				
19				
20				
21				
22				
23				
24				
2526				
27				
28				

Filed 03/31/2008

Page 5 of 8

Case 4:07-cv-06118-CW Document 65

	Case 4:07-cv-06118-CW	Document 65	Filed 03/31/2008 Page 6 of 8
1			BERGER & MONTAGUE, P.C.
2			Daniel Berger danberger@bm.net
3			Eric L. Cramer (<i>Pro Hac Vice</i>) ecramer@bm.net
4			David F. Sorensen dsorensen@bm.net
5			1622 Locust Street Philadelphia, PA 19103
6			Telephone: (215) 875-3000 Facsimile: (215) 875-4604
7			Lead Counsel for Rochester Drug Cooperative,
8			Inc.
9			GARWIN GERSTEIN & FISHER, LLP Bruce E. Gerstein (<i>Pro Hac Vice</i>)
10			bgerstein@garwingerstein.com Noah H. Silverman (Pro Hac Vice)
11			nsilverman@garwingerstein.com 1501 Broadway, Suite 1416
12			New York, New York 10036 Telephone: (212) 398-0055
13			Facsimile: (212) 764-6620
14			Lead Counsel for Louisiana Wholesale Drug Co., Inc.
15			ODOM & DES ROCHES, LLP
16			John Gregory Odom (Pro Hac Vice) dodom@odrlaw.com
17			Stuart E. Des Roches (Pro Hac Vice) stuart@odrlaw.com
18			John Alden Meade (Pro Hac Vice) jmeade@odrlaw.com
19			Suite 2020, Poydras Center 650 Poydras Street
20			New Orleans, LA 70130 Telephone: (504) 522-0077
21			Facsimile: (504) 522-0078
22			PERCY SMITH & FOOTE, LLP David P. Smith (<i>Pro Hac Vice</i>)
23			dpsmith@psfllp.com W. Ross Foote (Pro Hac Vice)
24			rfoote@psfllp.com 720 Murray Street
25			P.O. Box 1632
26			Alexandria, LA 71309 Telephone: (318) 445-4480
27			Facsimile: (318) 487-1741
28			

	Case 4:07-cv-06118-CW	Document 65	Filed 03/31/2008 Page 7 of 8
1			KOZYAK TROPIN & THROCKMORTON
2			Tucker Ronzetti (<i>Pro Hac Vice</i>) tr@kttlaw.com
3			Adam Moskowitz (<i>Pro Hac Vice</i>) amm@kttlaw.com
4			2800 Wachovia Financial Center 200 South Biscayne Boulevard
5			Miami, Florida 33131-2335 Telephone: (305) 372-1800
6			Facsimile: (305) 372-3508
7			AUBERTINE DRAPER ROSE, LLP Andrew E. Aubertine (<i>Pro Hac Vice</i>)
8			aa@adr-portland.com 1211 SW Sixth Avenue
9			Portland, Oregon 97204 Telephone: (503) 221-4570
10			Facsimile: (503) 221-4590
11			LAW OFFICES OF JOSHUA P. DAVIS Joshua P. Davis (State Bar No. 193254)
12			davisj@usfca.edu 437A Valley Street
13			San Francisco, CA 94131 Telephone: (415) 422-6223
14			VANEK, VICKERS & MASINI, P.C.
15			Joseph M. Vanek (<i>Pro Hac Vice</i>) jvanek@vaneklaw.com
16			David P. Germaine (<i>Pro Hac Vice</i>) dgermaine@vaneklaw.com
17			111 South Wacker Drive, Suite 4050 Chicago, IL 60606
18			Telephone: (312) 224-1500 Facsimile: (312) 224-1510
19			SPERLING & SLATER
20			Paul E. Slater (Pro Hac Vice) pes@sperling-law.com
21			55 West Monroe Street, Suite 3200 Chicago, Illinois 60603
22			Telephone: (312) 641-3200 Facsimile: (312) 641-6492
23			Additional Plaintiffs' Counsel
24			
25			
26			
27			
28			
	İ		

- 6 -

1	CERTIFICATION OF ACCEPTABILITY				
2	I, Joseph Saveri, attest that the content of this document is acceptable to all				
3	persons required to sign it, including Nicole Norris, counsel for defendant Abbott Laboratories;				
4	Alex Wiles, counsel for plaintiff Smithkline Beecham Corporation; Steve Shadowen, counsel for				
5	plaintiffs Rite Aid Corporation et al.; and Scott Perwin, counsel for Plaintiffs Safeway Inc. et al.				
6	By: <u>/s/ Joseph R. Saveri</u> Joseph R. Saveri				
7	Joseph R. Saveri				
8					
9	It is <u>SO ORDERED</u> .				
10					
10	DATED:				

HONORABLE CLAUDIA WILKEN